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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,594	10/30/2003	Hiroyuki Nagano	4686-001	7167
22429	7590	04/17/2007	EXAMINER	
LOWE HAUPTMAN BERNER, LLP 1700 DIAGONAL ROAD SUITE 300 ALEXANDRIA, VA 22314			HARPER, TRAMAR YONG	
			ART UNIT	PAPER NUMBER
			3714	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/17/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/696,594	NAGANO, HIROYUKI
	Examiner	Art Unit
	Tramar Harper	3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 1/12/07.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-19 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date: _____	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Response to Amendment***

Examiner acknowledges receipt of amendment filed 1/12/07. The arguments set forth in the response are addressed herein below. Claims 1-19 are pending, Claims 1-6 have been amended, and Claims 7-19 have been newly added.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 11-19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Each and every limitation excluding "the upper surfaces of the partition members are below a top surface of the bill guide plate" is not disclosed in the specification. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by**

**Parish et al (US 5,156,250).**

**Claims 18-19:** Parish discloses a currency receiver for use within a vending machine.

The vending machine including a cabinet, a door, a bill insertion slot and a bill guide (Figs. 1-12). The bill guide includes a plurality of slot openings for separating foreign matter or liquid from the currency (Abstract). Parish discloses such a bill receiver prevents customer tampering, vandalism, and malfunction of a vending machine (Col. 1:21-41). Parish discloses that the currency receiver can be used in any vending machine that accepts currency (Col. 2:40-52). Parish discloses that the openings of the bill guide plate are slots elongated in a direction from a rear wall of the bill guide plate that is adjacent the bill insertion slot toward a front wall of the bill guide plate.

Furthermore, the bill guide plate further comprises longitudinal separating walls extending in said direction and separating adjacent slots from each other, and slot bottom walls each of which is disposed between two adjacent separating walls and extends rearward in said direction from the front wall of said bill guide plate and obliquely downwardly without completely closing the respective slot defined between said two adjacent separating walls. Also the bill guide plate has a plurality of partition members dividing each of the slots into a number of smaller slits that comprise of a forward most and longest slit, at least one rear slit shorter than said forward-most and longest slit, and wherein, the slot bottom wall corresponding to said slot extends along said forward most and longest slit and terminates short of a forward most one of the

partition members in the respective slot, without completely closing said forward most and longest slit (Figs. 3-7).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-6 and 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parish et al (US 5,156,250) in view of Watabe et al (US 5,505,289).**

**Claim 1:** Parish discloses a currency receiver for use within a vending machine. The vending machine including a cabinet, a door, a bill insertion slot and a bill guide (Figs. 1-12). The bill guide includes a plurality of slot openings for separating foreign matter or liquid from the currency (Abstract). Parish discloses such a bill receiver prevents customer tampering, vandalism, and malfunction of a vending machine (Col. 1:21-41). Parish discloses that the currency receiver can be used in any vending machine that accepts currency (Col. 2:40-52). Figs. 1-2, illustrate the bill guide enclosed in a mounting member. Parish discloses that liquid sometimes can enter the mechanisms of the vending machine and cause malfunction to occur. However, Parish fails to disclose a first open end covered by the bill guide plate and located under the openings of the bill guide plate for receiving the foreign matter dropped from said openings and a second open end located below and communicated with the first open end, second open end

being opened downwards for directing the foreign matter further downwardly. Watabe discloses a bill guide with a bill guide plate wherein the mounting member comprises of a first open end (51) covered by the bill guide plate and located under the openings of the bill guide plate for receiving the foreign matter dropped from said openings and a second open end (54) located below and communicated with the first open end, second open end being opened downwards for directing the foreign matter further downwardly (Abstract, Col. 2:20-29, Figs. 5-6). It would have been obvious to one of ordinary skill in the art to modify the liquid diverting bill guide means of Parish, with the first and second open end of Watabe to provide a route or pathway to guarantee that foreign matter would not enter into areas where electrical components are maintained to prevent malfunctioning of such components (Watabe Col. 1:60-Col. 2:5).

**Claim 2-3:** Parish discloses that the slot openings of the bill guide are in a rectilinear formation and are parallel to each other. Partition members divide the slot openings into smaller slot openings (Figs. 3-4, & 10).

**Claim 4:** Referring to Figs. 3-4, & 10, the slot opening ((102) & (104)) lengths are smaller than the diameter of coin (Parish).

**Claim 6:** Referring to Figs. 1-2, vending machines comprise of a door mounted in a detachable manner. The mounting member or door includes a first opening part (bill guide) connected to a second opening part. Bill guide is mounted as a separate member of the mounting member (Parish).

**Claim 10:** Watabe discloses the mounting member has a passage extending downward from the first open end to the second open end, being tapered as the passage extends downward (Figs. 5-6).

**Claims 12 and 15:** Parish discloses that the openings of the bill guide plate are slots elongated in a direction from a rear wall of the bill guide plate that is adjacent the bill insertion slot toward a front wall of the bill guide plate. Furthermore, the bill guide plate further comprises longitudinal separating walls extending in said direction and separating adjacent slots from each other, and slot bottom walls each of which is disposed between two adjacent separating walls and extends rearward in said direction from the front wall of said bill guide plate and obliquely downwardly without completely closing the respective slot defined between said two adjacent separating walls. Also the bill guide plate has a plurality of partition members dividing each of the slots into a number of smaller slits that comprise of a forward most and longest slit, at least one rear slit shorter than said forward-most and longest slit, and wherein, the slot bottom wall corresponding to said slot extends along said forward most and longest slit and terminates short of a forward most one of the partition members in the respective slot, without completely closing said forward most and longest slit (Figs. 3-7).

**Claims 13-14:** Parish discloses that bottom walls of the bill guide plate comprises of a first segment extending rearward from the front wall of said bill guide plate and obliquely downwardly at a first inclination, a second segment extending rearward from the first segment and obliquely downwardly at a second inclination greater than the first

inclination, and a third segment extending downwardly from the second segment into the first open end of the mounting member (Figs. 3-7).

**Claim 16:** Parish discloses that the slot bottom wall terminates short of a forward-most one of the partition members in the respective slot (Figs. 3-7).

**Claims 5, 11, and 17:** Parish discloses that the upper surface of the partition members closer to the bill insertion slot is lower than the upper surface of the partition members farther from the bill insertion slot and that the top surface of the separating walls are flush with each other (Figs. 3-7 bill guide is curved). Parish in view of Watabe meets the above limitations, but fails to disclose the upper surfaces of the partition members below a top surface of the bill guide plate. However, Applicant has not disclosed that the upper surfaces of the partition members below a top surface of the bill guide plate provides an advantage or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Parish's partition members, and applicant's invention, to perform equally well with either the partition members flush with the top surface, as taught by Parish, or the claimed upper surfaces of the partition members below a top surface of the bill guide plate because both would perform the same functions of dividing the slot openings into smaller slot openings.

Therefore, it would have been *prima facie* obvious to modify Parish such that the upper surfaces of the partition members are below a top surface of the bill guide plate because such a modification would have been considered a mere design consideration which fails to patentably distinguish over the prior art of Parish.

***Allowable Subject Matter***

Claims 7-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tramar Harper whose telephone number is (571) 272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Robert E Pezzuto  
Supervisory Patent Examiner  
Art Unit 3714

TH

4/13/07